

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT PIERCE DIVISION

CASE NO.: 2:24-cv-14058

Mary Santiago
and other similarly
situated individuals,

Plaintiff(s),
v.

Treasure Coast Classical Academy, Inc.

Defendant,

_____ /

STATEMENT OF CLAIM

Plaintiff Mary Santiago by and through its undersigned counsel, hereby submits pursuant to the Honorable Judge Cannon's Order, dated March 4, 2024 [D.E.4], Plaintiff's Statement of Claim. As grounds, the Plaintiff states:

1. Plaintiff endeavored at this stage of litigation to formulate its Statement of Claim on the basis of the best data available. Defendant and/or persons who are non-parties or who are no longer employees of Defendant may have relevant information or documents, but Plaintiff is not purporting to provide in this Statement of Claim, confirmed information, if any, presently possessed by such persons.
2. On February 29, 2024, Plaintiff, through the undersigned counsel filed his Fair Labor Standards Act cause of action against his former employers, Defendant Treasure Coast Classical Academy, Inc.

3. **Total Amount of Alleged Unpaid Wages:** Discovery in this cause of action is ongoing. As such, subject to such additional or different information that discovery or further investigation may disclose, Plaintiff at this time alleges that a pre-discovery estimate that is due and owing to Plaintiff is as follows:

A. Overtime Wages:

- a. Total amount of alleged unpaid O/T wages:

Six Thousand Three Hundred Ninety-Six Dollars and 30/100 (\$6,396.30)

- b. Calculation of such wages:

Total period of employment: 46 weeks
Relevant weeks of employment: 46 weeks
Total hours worked: 45 hours weekly average
Total unpaid O/T hours: 5 overtime hours
Regular rate paid: \$18.54 an hour x 1.5=\$27.81
Overtime rate: \$27.81

O/T rate \$27.81 x 5 O/T hours=\$139.05 weekly x 46 weeks=\$6,396.30

- c. Nature of wages (e.g., overtime or straight time):¹

This amount represents unpaid overtime wages.

B. Lost Wages:

- a. Total amount of alleged unpaid wages:

Three Thousand Five Hundred Forty-One Dollars and 20/100 (\$3,541.20)

- b. Calculation of such wages:

Total weeks of unemployment: 7 weeks
Lost weekly =\$741.60
I. Lost weekly = \$741.60 x 7 weeks = \$ 5,191.2 Lost.
II. Unemployment \$275 per week x 6 weeks= \$1,650 unemployment
\$ 5,191.2 lost (I) - \$1650 unemployment (II)= \$ 3,541.20

¹ At this time, Plaintiff has limited time and payment records. Accordingly, Plaintiff estimates her damages and reserves the right to amend the calculations.

c. Nature of wages:

This amount represents unpaid lost wages.

C. Attorney's Fees and Costs: To be determined.

Plaintiff Mary Santiago is owed the amount of Six Thousand Three Hundred Ninety-Six Dollars and 30/100 (\$6,396.30) in overtime, plus, Three Thousand Five Hundred Forty-One Dollars and 20/100 (\$3,541.2) in lost wages, plus, liquidated damages and a reasonable amount in Attorney's Fees and Costs.

WHEREFORE, based on the foregoing, the Plaintiff files his Statement of Claim.

Dated: April 1, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 1, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

BY: s/Zandro E. Palma
Zandro E. Palma Esq.
Florida Bar No.: 0024031